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**TESTIMONY OF
ATTORNEY GENERAL RICHARD BLUMENTHAL
BEFORE THE LABOR AND PUBLIC EMPLOYEES COMMITTEE
FEBRUARY 20, 2007**

I appreciate the opportunity to support House Bill 6989, An Act Concerning Non-Compete Agreements.

This legislation prohibits an employer from requiring employees to sign a non-compete agreement preventing employees from working in the same or similar job at the same location.

This legislation, known as "the Guardsmark bill", arose out of an agreement that Guardsmark forced its employees to sign as a condition of employment. That agreement prohibited Guardsmark security guards at ESPN from being hired by the successor security firm even though that firm was ready and willing to keep these individuals in their jobs. Nearly 40 security guards were thrown out of work.

This non-compete clause is not based on any unique knowledge or proprietary information gained by such employees through their work, but rather a tactic against other security guard firms competing at the same site. Guardsmark used its loyal employees as pawns or hostages, denying them jobs though Guardsmark lost the contract with ESPN.

Non-compete clauses are particularly pernicious because they strike directly at an employee's ability to work. I urge the committee to favorably consider an amendment to broaden the prohibition on non-compete clauses. We need a strong public policy and prohibition against non-compete clauses. California and Florida have similar statutes.

I am willing to work with the committee on developing this legislation to secure a basic right to employment by prohibiting unfair, unwarranted employer restrictions on where employees may work.